UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,447	02/28/2002	Sang Yong Lee	0465-0907P-SP	4973

2292 7590 02/19/2008

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER	
MANIWANG, JOSEPH R	

ART UNIT	PAPER NUMBER
2144	

NOTIFICATION DATE	DELIVERY MODE
02/19/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary	Application No.	Applicant(s)	
	10/084,447	LEE, SANG YONG	
	Examiner	Art Unit	
	Joseph R. Maniwang	2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11/19/07*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7,9-13 and 15-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7,9-13 and 15-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 112

2. Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. Independent claim 1 recites "the TS having the time stamp added thereto". There is insufficient antecedent basis for this limitation in the claims. The claim recites "giving a time stamp to each TS packet of a TS", but not a TS with a time stamp added thereto.

Claim Rejections - 35 USC § 102

4. Claims 1-7, 9-13, and 15-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Kim (U.S. Pat. No. 6,466,733).

5. Regarding claims 1 and 15, Kim disclosed a method and system comprising a media routing control part for giving a time stamp to each TS (Transport Stream) packet of a TS of a digital broadcasting or an analog broadcasting signal, the time stamp being used as a TS packet number (see column 5, lines 31-35), the media routing control part being configured to extract index information including at least one of the TS packet

number and information on a type of picture from the TS having the time stamp added thereto (see column 7, lines 33-40); and a storage part for receiving and storing the TS having the time stamp added thereto and the index information from the media routing control part (see column 5, lines 36-43; column 7, lines 41-56).

6. Regarding claims 2, 3, and 10, Kim disclosed the method and system wherein the media routing control part includes a first selecting part for selecting and forwarding one of the TS of the digital broadcasting signal and the TS of the analog broadcasting signal (see column 5, lines 21-30); a format converting part for giving the time stamp to the TS from the first selecting part to synchronize, and extracting the index information (see column 7, lines 33-40); a second selecting part for selecting one of outputs from the first selecting part and the format converting part (see column 9, lines 62-65); and a scrambling/descrambling part for scrambling the TS having the time stamp given thereto and the index information or descrambling scrambled information from the storage part (see column 8, lines 10-58).

7. Regarding claims 4 and 13, Kim disclosed the method and system wherein the TS and the index information from the media routing control part are stored in the storage part through a PCI bus (see column 5, lines 21-30).

8. Regarding claims 5 and 11, Kim disclosed the method and system wherein the storage part includes a system memory for storing the TS and the index information from the media routing control part, and a storage medium for receiving and storing the TS and the index information stored in the system memory (see column 5, lines 36-43; column 7, lines 41-56).

9. Regarding claims 6 and 12, Kim disclosed the method and system wherein the TS and the index information stored in the system memory are stored in the storage medium by DMA transmission (see column 5, lines 21-30).

10. Regarding claim 7, Kim disclosed the method and system wherein the storage medium is either an HDD or a DVD (see column 1, lines 15-22).

11. Regarding claim 9, Kim disclosed a method and system comprising a PID filter part for selecting only a TS of a desired program from a received digital broadcasting signal and forwarding the TS (see column 5, lines 1-12); an MPEG-2 encoder for coding a received analog broadcasting signal to an MPEG-2 TS format, and forwarding the coded analog broadcasting signal (see column 5, lines 13-20); a media routing control part for giving a time stamp to each TS packet from the PID filter part or each TS packet of the received analog broadcasting signal from the MPEG-2 encoder to synchronize the TS packet, the time stamp being used as a TS packet number (see column 5, lines 31-35), the media routing control part being configured to extract index information including at least one of the TS packet number and information on a type of picture (see column 7, lines 33-40); a memory part for storing the TS packet synchronized at the media routing control part and the index information (see column 5, lines 36-43; column 7, lines 41-56); and a decoding part for receiving, decoding, and displaying a broadcasting signal or a reproduced signal, the reproduced signal being reproduced through the memory part and the media routing control part (see column 9, line 62 through column 10, line 25).

12. Regarding claim 16, Kim disclosed the method and system further comprising determining whether a format converted TS is scrambled or not; and scrambling and storing the TS if the TS is to be scrambled as a result of the determination, and storing the TS without scrambling the TS if the TS is not to be scrambled as a result of the determination (see column 10, lines 53-64).

13. Regarding claim 17, Kim disclosed the method and system further comprising setting a password at the storage medium to inhibit recording/reproduction after the step (c) (see column 8, lines 20-67).

14. Regarding claim 18, Kim disclosed a method and system comprising converting a format of corresponding TS packets within the storage medium with reference to index information including a TS packet number, type of picture and a time stamp given to each TS packet stored in the storage medium, when a trick mode reproduction is to be preformed, the time stamp being used as the TS packet number (see column 5, lines 31-35); and decoding and displaying a format converted TS (see column 9, line 62 through column 10, line 25).

15. Regarding claim 19, Kim disclosed the method and system wherein the step (a) includes descrambling the TS before the format conversion, if the TS stored in the storage medium is in a scrambled state (see column 8, lines 10-58).

Response to Arguments

16. Applicant's arguments filed 11/19/07 have been fully considered but they are not persuasive.

17. Regarding claims 1-7, 9 -13, and 15-19 rejected under 35 U.S.C. 102(e) as anticipated by Kim (U.S. Pat. No. 6,466,733), Applicant first asserts that Kim does not teach "that the time stamp is used as a TS packet number." In addressing this point, Examiner first notes that the claim language is silent as to the functionality of such a "TS packet number". The claim language does not specifically define the intended purpose within the present invention of such a packet number, and merely requires that such a packet number be at least one of two possible elements of the claimed "index information" to be later stored in the "storage part". Additionally, Examiner notes that the claim language (for example, claim 1) explicitly recites that the "time stamp [is] used as a TS packet number". It is thus reasonable to interpret the "TS packet number" as nothing more than the time stamp added to the packet. Accordingly, since Kim, as acknowledged by Applicant, "shows that the time stamp is added to indicate 'the time for the TS to arrive in the coder...in order to restore the TS in the same time interval in the decoder of the digital VCR'" (column 5, lines 31-35), Kim reads on the broad concept of using the timestamp as a TS packet number, as this cited portion of Kim clearly teaches using the timestamp in some fashion, namely for identification of a packet which can be read as "using".

18. Applicant further asserts that Kim does not teach "a storage part for receiving and storing the TS having the time stamp added thereto and the index information from the media routing control part". Although Applicant argues that Kim "only shows that a first buffer 'temporarily stores the normal play data with the time stamp added thereto'" (column 5, lines 36-38), Examiner submits that this portion of Kim precisely teaches

storing index information as argued. The claim language defines "index information" as "including at least one of the TS packet number". As argued above, the "TS packet number" is nothing more than the added time stamp ("time stamp being used as a TS packet number", claim 1). Thus, the claims require merely that the time stamp of a packet is stored. As Applicant has pointed out, Kim "stores the normal play data with the time stamp added thereto", or in other words, the "index information" as claimed. Examiner additionally notes that the provision for a "TS having the time stamp added thereto" lacks proper antecedent basis in the claims. The claims only define that specifically a TS packet can be "given" a time stamp, not that a time stamp is ever "added" to the "TS".

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph R. Maniwang whose telephone number is (571) 272-3928. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JM

WILLIAM VAUGHN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100